

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, APRIL 29, 1991  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Filner at 2:06 p.m. Mayor O'Connor adjourned the meeting at 2:58 p.m. to meet in Closed Session on April 30, 1991, at 9:15 a.m., in the 12th Floor Conference Room, to discuss pending litigation matters.

ATTENDANCE DURING THE MEETING:

(M) Mayor O'Connor-present  
(1) Council Member Wolfsheimer-present  
(2) Council Member Roberts-present  
(3) Council Member Hartley-present  
(4) Council Member Pratt-present  
(5) Council Member Behr-present  
(6) Council Member Henderson-present  
(7) Council Member McCarty-present  
(8) Council Member Filner-present  
Clerk-Abdelnour (rb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL  
Clerk Abdelnour called the roll:

(M) Mayor O'Connor-present  
(1) Council Member Wolfsheimer-present  
(2) Council Member Roberts-not present  
(3) Council Member Hartley-not present  
(4) Council Member Pratt-present  
(5) Council Member Behr-present  
(6) Council Member Henderson-present

- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by Intern Pastor Amy Crump, First Lutheran Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Pratt.

FILE LOCATION: MINUTES

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:  
3/25/91  
3/26/91  
3/27/91 Special  
4/01/91 Adjourned  
4/02/91 Adjourned  
4/08/91 Special

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A020-027.)

MOTION BY FILNER TO APROVE. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-not present, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-31: (R-91-1735) ADOPTED AS RESOLUTION R-277780

Authorizing Suggestion Awards to the following City employees:  
Janet Holmes and Albert John Allen - Fire Department - \$798 (shared).

Trent Robertson - Engineering and Development -  
\$1,043.09.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A028-067.)

MOTION BY McCARTY TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-32: DEFEATED

(Continued from the meetings of April 8, 1991, Item 33, and April 15, 1991, Item S400; last continued at Councilmember Wolfsheimer's request, to allow Councilmember Behr to be present.)

In the matter of reconsideration of the Council's action taken on February 19, 1991, in connection with Item 330, a request for Conditional Use Permit CUP-89-0540 for the development of a waste management facility on a previously graded 2.79-acre site, located on the south side of Consolidated Way at Milch Road, in Zone M-1A.

(Mira Mesa Community Area. District-6.)

A: Waiving Rule 34 of the Permanent Rules of the Council to allow reconsideration.  
(6 votes required.)

B: Granting the reconsideration.  
(5 votes required.)

C: Setting the matter for a future public hearing.  
(5 votes required.)

FILE LOCATION: PERM - Conditional use Permit CUP-89-0540

COUNCIL ACTION: (Tape location: A085-135.)

MOTION BY HARTLEY TO WAIVE THE RULES TO ALLOW FOR RECONSIDERATION. Second by McCarty. Failed by the following vote: Wolfsheimer-yea, Roberts-nay, Hartley-yea, Pratt-yea, Behr-nay, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-nay.

\* ITEM-50: (O-91-143) ADOPTED AS ORDINANCE O-17633 (New Series)

Amending Chapter IV, Article 5, Division 1, of the San Diego Municipal Code by amending Sections 45.0101, 45.0102, 45.0104, 45.0105, 45.0107, 45.0108, 45.0109, 45.0110 and 45.0111, and by adding Section 45.0112, relating to Smoking Regulations.  
(Introduced on 4/29/91. Council voted 8-0. District 3 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A173-180.)

CONSENT MOTION BY ROBERTS TO DISPENSE WITH THE READING AND ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-51: (O-91-139) ADOPTED AS ORDINANCE O-17634 (New Series)

Amending Chapter VI, Article 7, of the San Diego Municipal Code by amending Sections 67.38.2, 67.38.3, 67.38.4, 67.38.5, 67.38.6, 67.38.7 and 67.38.8, relating to Emergency Water Conservation Regulations, by defining unreasonable uses of water, explaining the circumstances invoking the four stages of water conservation compliance, adding a provision regarding issuance of new construction meters, and adding a provision which would allow greywater to be used for outdoor irrigation.  
(Introduced on 4/12/91. Council voted 6-0. Districts 1, 2 and 8 not present.)

FILE LOCATION: WATER - Emergency Water Conservation Regulations

COUNCIL ACTION: (Tape location: A173-180.)

CONSENT MOTION BY ROBERTS TO DISPENSE WITH THE READING AND ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-52:

Two actions relative to Mid-City Canyon rezonings  
proposed for Areas C and D:

Subitem-A: (O-91-116) ADOPTED AS ORDINANCE O-17635  
(New Series)

Incorporating various properties within the Mid-City  
Community Plan Area (Area C) from the R1-40,000/HR Zone  
into the R1-40,000 Zone.  
(District-7. Introduced on 4/16/91. Council voted  
6-0. Districts 1, 5 and 8 not present.)

Subitem-B: (O-91-117) ADOPTED AS ORDINANCE O-17636  
(New Series)

Incorporating various properties within the Mid-City  
Community Plan Area (Area D) from the R1-40,000/HR Zone  
into the R1-40,000 Zone.  
(District-3. Introduced on 4/16/91. Council voted  
6-0. Districts 1, 5 and 8 not present.)

FILE LOCATION: LAND - Mid-City Community Plan

COUNCIL ACTION: (Tape location: A173-180.)

CONSENT MOTION BY ROBERTS TO DISPENSE WITH THE READING AND  
ADOPT. Second by Henderson. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,  
Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

\* ITEM-100: (R-91-1325) ADOPTED AS RESOLUTION R-277781

Awarding a contract to Diatec Environmental for the  
purchase of anionic polymer, as may be required for a  
period of six months beginning May 1, 1991 through  
October 31, 1991, for an estimated cost of \$78,741.30,  
including tax, with an option to renew the contract for  
one additional six month period, with a price increase  
not to exceed 4 percent of the bid price.  
(BID-B2161/91)

FILE LOCATION: CONT - PURCHASE - Diatec Environmental  
CONT FY91-1

COUNCIL ACTION: (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-101: (R-91-1305) ADOPTED AS RESOLUTION R-277782

Awarding a contract to Chemwest Industries, Inc. for the purchase of ammonium sulfate, as may be required for a period of one year beginning March 1, 1991 through February 29, 1992, for an estimated total cost of \$60,000, with an option to renew the contract for an additional one year period with price escalation not to exceed 15 percent of prices in effect at the end of the prior year; in the event the contractor is unable to deliver material meeting specifications, the Purchasing Agent is authorized to terminate the contract and to award to the next low bidder, or to buy the material on the open market until the requirement can be rebid. (BID-B1921/91)

FILE LOCATION: CONT - PURCHASE - Diatec Environmental  
CONT FY91-1

COUNCIL ACTION: (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-102: (R-91-1329) ADOPTED AS RESOLUTION R-277783

Awarding a contract to Becker Security Service for security guard service at the Metro Wastewater Treatment Plant, as may be required for a period of one year beginning May 1, 1991 through April 30, 1992, for an estimated cost of \$33,196, with options to renew the contract for four additional one year periods with price increases not to exceed the prices in effect for the previous contract period by more than 7.5 percent; in the event the Contractor is unable to perform according to specifications, the Purchasing Agent is authorized to award the contract to the next low bidder and to subsequent bidders, if necessary, until the bidder is found who complies with specifications.

(BID-B2132/91)

FILE LOCATION: CONT - PURCHASE - Becker Security Service  
CONT FY91-1

COUNCIL ACTION: (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by  
Henderson. Passed by the following vote: Wolfsheimer-yea,  
Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea,  
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-103: (R-91-1550) ADOPTED AS RESOLUTION R-277784

Inviting bids to Recarpet Six Libraries on Work Order  
No. 119553; authorizing the execution of a contract  
with the lowest responsible bidder; authorizing the  
expenditure of funds not to exceed \$100,000 from Fund  
100, Department 532, for said project and related  
costs.

(BID-K2242/91)

(Rancho Bernardo, Oak Park, Southeast San Diego and  
Centre City Community Areas. Districts-1, 3, 4 and 8.)

CITY MANAGER SUPPORTING INFORMATION: The Beckwourth Library  
was last carpeted in 1976; Oak Park and Rancho Bernardo Libraries  
were last carpeted in 1977; Logan Heights and Paradise Hills were  
last carpeted in 1979; and Skyline Library was last carpeted in  
1981. The carpet in all these libraries is worn and stained.

Aud. Cert. 9100463.

FILE LOCATION: W.O. 119553 CONT-ALLIED CARPET AND LINOLEUM  
CO. CONT FY91-1

COUNCIL ACTION: (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by  
Henderson. Passed by the following vote: Wolfsheimer-yea,  
Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea,  
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-104: (R-91-1331) ADOPTED AS RESOLUTION R-277785

Authorizing the Purchasing Agent to solicit bids and  
award contracts for demolition of structures as may be

required for a period of one year beginning July 1,  
1991 through June 30, 1992. (BID-F2191/91)

FILE LOCATION:           CONT - PURCHASE - Purchasing Agent,  
                          demolition of structures           CONT FY91-1

COUNCIL ACTION:       (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by  
Henderson. Passed by the following vote: Wolfsheimer-yea,  
Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea,  
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-105:

Four actions relative to the final subdivision map of  
Canyon Country West Unit No. 1, a 118-lot subdivision  
located northwesterly of Calle Cristobal and Camino  
Ruiz:  
(Mira Mesa Community Area. District-6.)

Subitem-A:       (R-91-1773)       ADOPTED AS RESOLUTION R-277786

Authorizing the execution of a Subdivision Improvement  
Agreement with The Fieldstone Company, for the  
installation and completion of public improvements.

Subitem-B:       (R-91-1772)       ADOPTED AS RESOLUTION R-277787

Approving the final map.

Subitem-C:       (R-91-1774)       ADOPTED AS RESOLUTION R-277788

Approving the acceptance by the City Manager of a grant  
deed of The Fieldstone Company, granting to the City  
Lots 111 through 114, inclusive, of Canyon Country West  
Unit Unit 1.

Subitem-D:       (R-91-1775)       ADOPTED AS RESOLUTION R-277789

Vacating Keisha Court and Camino Miranda within Canyon  
Country Unit No. 6, Map-12536 and Raven Ridge Court,  
Camino La Bar, Windy Ridge Lane, Windy Ridge Way, Trail  
Brush Court, Trail Brush Way, Prairie Shadow Court and  
Prairie Shadow Lane, Acama Court and Prairie Wood Drive  
within Canyon Country Unit No. 3, Map-12236, in  
connection with Canyon Country West Units 1 and 3



(TM-89-0892), as per request of the abutting property owners, to facilitate development of their property; declaring that the resolution shall not become effective unless and until the final maps for Canyon Country West Units 1 and 3, have been recorded in the Office of the County Recorder; in the event the final maps for Canyon Country West Units 1 and 3 (TM-89-0892) are not approved by April 23, 1993, this resolution shall become void and be of no further force or effect; directing the City Engineer advise to the City Clerk of the approval of the final maps.

CITY MANAGER SUPPORTING INFORMATION: The vacation of Keisha Court and Camino Miranda within Canyon Country Unit 6, Map-12536, and Raven Ridge Court, Camino La Bar, Windy Ridge Lane, Windy Ridge Way, Trail Brush Court, Trail Brush Way, Prairie Shadow Court, and Prairie Shadow Lane, Acama Court, and Prairie Wood Drive within Canyon Country Unit 3, Map-12236, in connection with Canyon Country West Units 1 and 3 (TM-89-0892), has been requested to accommodate the resubdivision of Canyon Country Units 3 and 6 under the tentative map for Canyon Country West, Units 1 and 3. The maps which contain the rights-of-way to be vacated proposed subdivision of approximately 106 acres. The tentative map for Canyon Country West was approved by City Council on September 11, 1990.

The rights-of-way to be vacated are located in the Mira Mesa Community. Development of Canyon Country West Units 1 and 3 is controlled by Planned Residential Development Permit PRD-89-0892, which will allow development of 167 single-family residences with provisions for seven open space lots. The areas-of-vacation are currently unimproved. The revisions to the previous subdivisions have slightly realigned the unimproved roadways. New street alignments are being provided as part of the final maps.

FINDINGS: Staff review has indicated that the rights-of-way to be vacated are consistent with the General Plan, the community plan, and Council Policy 600-15. The approval of the final maps will establish that there will be no present or prospective use and that the vacation will not detrimentally affect the facilities for which the rights-of-way were originally required. The public will benefit through better utilization of land offered by the vacation and subsequent subdivision. Staff further recommends that the vacation be conditioned upon the approval of the final maps for Canyon Country West Units 1 and 3 (TM-89-0892).

FILE LOCATION: SUBITEMS-A&B: SUBD - Canyon Country West  
Unit No. 1; SUBITEM-C: DEED F-5584;

SUBITEM-D: DEED F-5585, STRT J-2760  
DEED FY 91-2; CONT FY91-1

COUNCIL ACTION: (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by  
Henderson. Passed by the following vote: Wolfsheimer-yea,  
Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea,  
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-106:

Six actions relative to the final subdivision map of  
Canyon Country West Unit No. 2, a 156-lot subdivision  
located southwesterly of Calle Cristobal and Camino  
Ruiz:  
(Mira Mesa Community Area. District-6.)

Subitem-A: (R-91-1777) ADOPTED AS RESOLUTION R-277790

Authorizing the execution of a Subdivision Improvement  
Agreement with The Fieldstone Company for the  
installation and completion of public improvements.

Subitem-B: (R-91-1776) ADOPTED AS RESOLUTION R-277791

Approving the final map.

Subitem-C: (R-91-1778) ADOPTED AS RESOLUTION R-277792

Approving the acceptance by the City Manager of a grant  
deed of The Fieldstone Company granting to the City  
Lots 154, 155 and 156 of Canyon Country West Unit No.  
2.

Subitem-D: (R-91-1779) ADOPTED AS RESOLUTION R-277793

Vacating the water easement in Lot 26 of Canyon Country  
Unit No. 6.

Subitem-E: (R-91-1780) ADOPTED AS RESOLUTION R-277794

Authorizing the execution of a traffic signal agreement  
with The Fieldstone Company.

Subitem-F: (R-91-1781) ADOPTED AS RESOLUTION R-277795

Setting aside easements in Lot 26 of Canyon Country  
Unit No. 6, Map-12536, for sewer and drainage purposes.

CITY MANAGER SUPPORTING INFORMATION: In addition to the standard Subdivision Improvement Agreement, The Fieldstone Company is entering into a second agreement to provide for the construction of a traffic signal system at Calle Cristobal and Prairie Wood Drive. This agreement satisfies Condition No. 12 of Vesting Tentative Map VTM-89-0892. The Fieldstone Company has provided a bond in the amount of \$100,000 to assure the completion of the traffic signal system. The signal shall be completed prior to February 18, 1993.

FILE LOCATION: SUBITEMS-A,B&E: SUBD - Canyon Country West  
Unit No. 2; SUBITEM-C: DEED F-5586;  
SUBITEM-D: DEED F-5587; SUBITEM-F: DEED  
F-5588 DEED FY 91-3; CONT FY91-2

COUNCIL ACTION: (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by  
Henderson. Passed by the following vote: Wolfsheimer-yea,  
Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea,  
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-107:

Three actions relative to the final subdivision map of  
Canyon Country West Unit No. 3, a 102-lot subdivision  
located northwesterly of Calle Cristobal and Camino  
Ruiz:  
(Mira Mesa Community Area. District-6.)

Subitem-A: (R-91-1783) ADOPTED AS RESOLUTION R-277796

Authorizing the execution of a Subdivision Improvement  
Agreement with the Fieldstone Company, for the  
installation and completion of public improvements.

Subitem-B: (R-91-1782) ADOPTED AS RESOLUTION R-277797

Approving the final map.

Subitem-C: (R-91-1784) ADOPTED AS RESOLUTION R-277798

Approving the acceptance by the City Manager of a grant  
deed of The Fieldstone Company, granting to the City

Lots 92 through 99, inclusive, of Canyon Country West  
Unit No. 3.

FILE LOCATION: SUBITEM-A&B: SUBD - Canyon Country West Unit  
No. 3; SUBITEM-C: DEED F-5589 DEED  
FY91-1; CONT FY91-1

COUNCIL ACTION: (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by  
Henderson. Passed by the following vote: Wolfsheimer-yea,  
Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea,  
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-108: (R-91-1731) ADOPTED AS RESOLUTION R-277799

Approving Parcel Map W.O. No. 880948, located  
southwesterly of Highway 163 and Hotel Circle South.  
(Mission Valley Community Area. District-5.)

FILE LOCATION: SUBD - Evelyn Terrace, Lot 2&3, pors.

COUNCIL ACTION: (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by  
Henderson. Passed by the following vote: Wolfsheimer-yea,  
Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea,  
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-109: (R-91-1751) ADOPTED AS RESOLUTION R-277800

Approving the acceptance by the City Manager of street  
and storm drain easement deeds of El Dorado Properties,  
Inc., granting to the City easements for public street  
and storm drain purposes in Parcel 1 of Parcel Map  
PM-15318; dedicating said land as and for a public  
street and naming the same Old Cliff Road.  
(Navajo Community Area. District-7.)

FILE LOCATION: DEED F-5590 DEED FY91-1

COUNCIL ACTION: (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by  
Henderson. Passed by the following vote: Wolfsheimer-yea,  
Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea,

Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-110:

Four actions relative to authorizing Suggestion Awards  
to the following City employees:

Subitem-A: (R-91-1736) ADOPTED AS RESOLUTION R-277801

Jeffrey Jacobson - Treasurer Department - \$586.05.  
Stacy Silverwood - Fire Department - \$301.79.

Subitem-B: (R-91-1737) ADOPTED AS RESOLUTION R-277802

Elaine Townsend - Treasurer Department - \$168.75.  
Jerry White - Water Utilities Department - \$166.83.

Subitem-C: (R-91-1738) ADOPTED AS RESOLUTION R-277803

Gloria Esparza - Purchasing Department - \$118.84.  
Thomas Klimek - Water Utilities Department - \$50.

Subitem-D: (R-91-1739) ADOPTED AS RESOLUTION R-277804

Virginia Towery - Risk Management Department - \$50.  
John Dennis - General Services Department - \$25.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by  
Henderson. Passed by the following vote: Wolfsheimer-yea,  
Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea,  
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-111: (R-91-1760) ADOPTED AS RESOLUTION R-277805

Excusing Councilmember Bob Filner from attending the  
Transportation and Land Use Committee meeting of  
Monday, April 8, 1991, due to medical reasons.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-112: (R-91-1753) ADOPTED AS RESOLUTION R-277806

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$6,500 from Proposition 70 Fund No. 38009 to CIP-29-694.0, Ocean Beach Recreation Center - Multipurpose Court; authorizing the expenditure of an amount not to exceed \$6,500 from CIP-29-694, Ocean Beach Recreation Center - Multipurpose Court, Proposition 70 Funds, for the purpose of supplementing the funds previously provided by Resolution No. R-275464, adopted April 16, 1990, for the above project.  
(Ocean Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The Ocean Beach Recreation Center - Multipurpose Court project work has been completed. The project involved the reconstruction of a 4,422 square foot multi-purpose court at this park. Field Engineering costs exceeded the estimate and an additional \$6,500 is needed.

Aud. Cert. 9100757.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-113:

Two actions relative to the Montclair Park Improvement Project:  
(Greater North Park Community Area. District-3.)

Subitem-A: (R-91-1715) ADOPTED AS RESOLUTION R-277807

Approving the application for Land and Water Conservation Funds for the Montclair Park Improvement

Project.

Subitem-B: (R-91-1716) ADOPTED AS RESOLUTION R-277808

Certifying that the information contained in Environmental Negative Declaration END-89-0205, in connection with the improvement of Montclair Neighborhood Park, together with any comments received during the public review process, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Administrative Code section 15000 et seq.), and that said report has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: Applications are now being accepted for park projects to be funded out of the Land and Water Conservation Fund (LWCF). These are federal grant monies administered by the California Department of Parks and Recreation. LWCF funds are granted based on a highly competitive review process. A total of \$963,741 has been earmarked for Southern California Projects. This is a reimbursement based on a matching fund program: LWCF will reimburse the City for up to 50 percent of project costs after completion of the project. The City must fully fund the project up front. The types of projects most often funded are the acquisition or development of neighborhood, community or regional parks. The LWCF system for judging projects favors development over acquisition and favors passive recreation activities (camping, walking, picnicking, bird watching) over active recreation activities. Combination acquisition and development projects are not eligible. Also ineligible for funding are projects such as the restoration or preservation of historic structures, construction of facilities marginally related to outdoor recreation, or indoor facilities. Based on the stringent grant criteria, staff has selected Montclair Park as a project appropriate for application. The project will provide for landscaping and walkways. The total project cost is estimated at \$503,500 and the project is fully funded. We would be requesting a 50 percent or \$251,750 reimbursement of total costs in our grant application.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-114: (R-91-1765) CONTINUED TO MAY 6, 1991

Authorizing the City Manager to accept a \$4,700 grant from the Factory Mutual System Arson Fund for the purpose of purchasing a computer system for the Metro Arson Strike Team.

CITY MANAGER SUPPORTING INFORMATION: The San Diego Fire Department has been offered a \$4,700 grant from the Factory Mutual System Arson Fund for the purchase of an automated arson information management system for the Metro Arson Strike Team (M.A.S.T.) The Metro Arson Strike Team was organized in 1980 to combat arson in the City of San Diego. A joint force of San Diego Police and Fire Department personnel, the team has achieved a 40 percent arrest rate, a 98 percent conviction rate, and a 99 percent cause determination rate for the crime of arson. Two Fire investigators, on 24-hour duty, work toward determining the origin and cause of suspicious fires. Police detectives conduct follow-up investigations and respond after-hours to major incidents. However, these efforts have not eradicated the growing problem of juvenile fire setters within the city. To this end, M.A.S.T. and the Fire Department Community Education Office participate in a juvenile intervention program. Through this program, juvenile fire setters are identified, interviewed and referred to psychiatric counseling. Currently, coordinating these activities between the two divisions requires time-consuming manual fire searches. A computerized system will provide investigators with a ready-reference, automated search tool for the immediate identification and tracking of juveniles in the program.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A163-172.)

MOTION BY HENDERSON TO CONTINUE TO MAY 6, 1991, AS REQUESTED BY THE CITY MANAGER, FOR THE PRESENCE OF THE GRANTORS.

Second by Pratt. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,  
Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

\* ITEM-115: (R-91-1764) ADOPTED AS RESOLUTION R-277810

Authorizing the execution of a second amendment to option agreement with ARC-SD (Association for Retarded



Citizens) extending the option agreement for six months to October 30, 1991.

(See City Manager Report CMR-91-196. Serra Mesa Community Area. District-5.)

FILE LOCATION: LEAS - Association for Retarded Citizens (ARC  
- SD) CONT FY91-1

COUNCIL ACTION: (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-116: (R-91-1655) ADOPTED AS RESOLUTION R-277811

Authorizing the execution of a Cooperative Agreement with the State of California, Department of Transportation (CalTrans) in connection with State Route 52 mitigation; authorizing and approving the sale of the mitigation site, being 80.46 acres fee and 76.67 acres temporary easement of Water Utilities and park property in Mission Trails Regional Park, for \$2,243,900 plus interest, to CalTrans; authorizing the execution of a grant deed and a right-of-way contract conveying the above property to CalTrans; depositing the amount of \$787,000 to be received for the Lake Hollins campground development, into CIP-29751.0, Hollins Lake Development Fund.

(See City Manager Report CMR-91-197. East Elliott Community Area. District-7.)

WU-PR-91-067.

FILE LOCATION: DEED F-5581 CONT FY91-1; DEED FY91-1

COUNCIL ACTION: (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-117: (R-91-1763) ADOPTED AS RESOLUTION R-277812

Authorizing the execution of an agreement with the Metropolitan Water District for receipt of funds from MWD to be used to implement the City's Residential Interior Plumbing Retrofit Program, together with any amendments or modifications which do not increase the project scope or cost which the City Manager shall deem necessary to carry out the purpose and intent of this Program and agreement; authorizing the execution of a letter agreement with the County Water Authority stipulating the manner in which MWD funds will be passed through to the City of San Diego.

CITY MANAGER SUPPORTING INFORMATION: On January 22, 1991, the City Council approved the implementation of a Residential Interior Plumbing Retrofit Program (Program). Through this program, 50,000 pre-1981 single-family residences will receive water-savings devices over a ten-week period beginning in April of 1991. The Metropolitan Water District (MWD) of Southern California agreed to contribute up to \$425,000 in funding for this program. The MWD's funding contribution will be passed through to the County Water Authority (CWA) in the form of a credit against its billing to the CWA for the purchase of imported water. The CWA has agreed to issue a credit billing to the City in an amount equal to the credits it receives from the MWD due to this program. The MWD's funding contribution was determined based upon an estimated savings of \$75.00 for each acre foot of imported water conserved through the program. The MWD now estimates its per acre foot savings to be \$112.00. As a result of this new estimate, the MWD's funding contribution to the Program could increase by \$33,865, from \$425,000 to \$458,865, depending upon the water savings achieved through the Program. New agreements between the MWD, CWA and City are necessary to receive this increased funding contribution from the MWD. New agreements have been prepared for consideration by the City Council.

WU-U-91-139.

FILE LOCATION: WATER - Metropolitan Water District,  
Residential Interior Plumbing Retrofit  
Program CONT FY91-2

COUNCIL ACTION: (Tape location: A199-240.)

MOTION BY BEHR TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-118: (R-91-1619) ADOPTED AS RESOLUTION R-277813

Authorizing the execution of an amendment to the agreement with Pardee Construction Company for the construction of a pedestrian bridge across Del Mar Heights Road, easterly of El Camino Real.  
(North City West Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On April 4, 1988, the City entered into a bonded 6 year agreement (Document No. RR-270617), with Pardee Construction Company for the design and construction of a pedestrian bridge over Del Mar Heights Road east of El Camino Real. This agreement fulfilled Conditions 21 and 22 of TM-86-0821 and allowed Pardee to develop Phase 1 (Lots 1 through 10). Condition 3(ii) of this agreement required Pardee to construct the bridge prior to the issuance of building permits for Phase 2 construction (Lots 11 through 17). Pardee is requesting this amendment to be able to go ahead with Phase 2 construction without being required to construct the bridge. This amendment is recommended for the following reasons: 1. Pardee's original construction phasing included some two-story buildings in Lots 8 and 9 that were designed to be used as landing areas for the bridge. However, due to the present state of the economy, Pardee has delayed the construction of the two-story buildings. 2. The primary users of the bridge will be the occupants of the residential subdivision (TM-89-0357) also owned by Pardee, located on the north side of Del Mar Heights Road. Pardee, by this amendment, is committing to construct the bridge prior to the issuance of the building permit for the 101st unit of this subdivision. 3. This agreement will require Pardee to construct the bridge at such time as required by the City Engineer when the average daily traffic in Del Mar Heights Road adjacent to Town Center reaches 45,000 ADT or prior to April 4, 1994 (6 years from the date of execution of the original agreement) whichever comes first. The current ADT in Del Mar Heights Road is 18,500, and development of Lots 11 through 17 (Phase 2 construction) will not increase the ADT in Del Mar Heights Road to 45,000.

FILE LOCATION: SUBD - Del Mar highlands Town Center Unit  
No. 1 CONT FY91-1

COUNCIL ACTION: (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-119: (R-91-1732) ADOPTED AS RESOLUTION R-277814

Authorizing the execution of a right-of-way acquisition agreement with Pardee Construction Company, for the acquisition of property right-of-way, design and construction of a right-turn lane along northbound Black Mountain Road to eastbound Mira Mesa Boulevard. (Mira Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: In addition to the standard Subdivision Improvement Agreement, the subdivider is entering into another agreement for the acquisition of property right-of-way, design and construction of improvements for Westview VTM-8600969. This agreement provides for the off-site acquisition, design and construction of public facilities necessary to provide a northbound right turn lane along Black Mountain Road to eastbound Mira Mesa Boulevard. To this end, if Pardee Construction Company is unable to acquire the right-of-way, the City will, by negotiation or condemnation if necessary, acquire said right-of-way. A deposit in the amount of \$52,280 has been made with the Property Department to cover the acquisition. Upon acquisition, Pardee will submit construction drawings for the right turn lane, and upon approval, commence construction. This will satisfy condition No. 7 (d) of Planning Commission Resolution No. 0078-PC. A bond in the amount of \$74,993 has been posted to assure the construction.

FILE LOCATION: SUBD - Westview Units 1-10

COUNCIL ACTION: (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-120: (R-91-1752) CONTINUED TO MAY 13, 1991

Authorizing the execution of an Automatic Aid Agreement with the United States Naval Base, San Diego, for mutual fire protection services, together with any necessary amendments or modifications which the City Manager shall deem necessary to carry out the purposes and intent of this agreement.

CITY MANAGER SUPPORTING INFORMATION: It is the policy of the City of San Diego to render fire protection mutual aid to its

neighbors whenever such aid is needed. Automatic Aid carries the concept of mutual aid one step further by dropping political boundaries so the nearest fire units would respond, regardless of jurisdiction, thus facilitating even faster responses to emergencies. The City has entered into Automatic Aid Agreements with all other municipalities or governmental agencies adjoining the City of San Diego.

FILE LOCATION:           --

COUNCIL ACTION:       (Tape location: A243-286.)

MOTION BY ROBERTS TO CONTINUE TWO WEEKS TO ALLOW TIME TO MEET WITH THE CITY MANAGER'S OFFICE AND THE REPRESENTATIVES OF THE FEDERAL GOVERNMENT TO REMODIFY THE AGREEMENT. Second by Henderson. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-121:       (R-91-1741)       ADOPTED AS RESOLUTION R-277815

Approving Change Order No. 1, dated November 26, 1990, issued in connection with the contract with Ham Brothers, for the abandonment of Gleason Point Sewer Pump Station and Construction of a Gravity Sewer, amounting to a net increase in the contract price of \$7,403.76; authorizing the City Auditor to transfer \$1,131.45 from CIP-44-001.0, Annual Allocation for Sewer Main Replacement to CIP-46-106.9, Annual Allocation for Pump Station Restoration; authorizing the expenditure of an amount not to exceed \$1,131.45 from CIP-46-106.9, for the purpose of providing funds for the above project.

(Mission Bay Park Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: Ham Brothers Construction Company has completed the abandonment of Gleason Point Sewer Pump Station and construction of a gravity sewer (CIP-46-106.0). This project is located on Gleason Road in the Mission Bay area. Inspection of the pipe has revealed the existence of sags in the newly constructed sewer pipe. The locations of the sewer pipe sags were not correctly identified by the City. Change Order No. 1 compensates the contractor for the costs incurred due to the incorrectly identified sag locations and for additional exploratory work to excavate and to correctly identify the sag locations. This is the final change order for the Gleason Point project.

Aud. Cert. 9100759.

WU-U-91-119.

FILE LOCATION: CONT - Ham Brothers CONT FY91-1

COUNCIL ACTION: (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-150: (R-91-1679) ADOPTED AS RESOLUTION R-277816

Approving the Park and Recreation Department's New Fee Schedule to include nine new fees:

1. Park Use Permit Application Fee
2. Mission Bay Group Picnic Area Fee
3. Special Event Fee (Coastal Division)
4. Special Equipment Set-up Fee
5. Recreation Center Room Use - Indoor Day Camp Fee
6. Athletic Field Reservations - Miscellaneous Tournament Fee
7. Athletic Field Reservations - Commercial Activities Fee
8. Private In-Water Mooring Fee
9. Adult Leagues - Basketball/Volleyball Non-Resident Fee

Authorizing the promulgation of said fees in the City Park Fee Schedules.

(See Legislative Specialist Analysis Report PFR-91-5, and City Manager Report CMR-91-166.)

COMMITTEE ACTION: Reviewed by PFR on 4/10/91.

Recommendation to approve the City Manager's recommendation to approve the fees. Districts 1, 3, and 8 voted yea. Districts 6 and 7 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A378-512.)

MOTION BY McCARTY TO ADOPT THE FEES WITH A REFERRAL OF THE QUESTION OF THE CATERING ISSUE IN MISSION BAY BACK TO STAFF TO REPORT TO THE PUBLIC FACILITIES AND RECREATION (PF&R) COMMITTEE. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,

Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

ITEM-200: (R-91-1761) NOTED AND FILED

Approving the agreement for a trustee for the Miramar  
Ranch North Community Facilities District No. 1 bond  
issue.  
(District-6.)

FILE LOCATION: STRT CF-1

COUNCIL ACTION: (Tape location: A140-162.)

MOTION BY HENDERSON TO NOTE AND FILE THE ITEM AS RECOMMENDED  
BY THE CITY MANAGER. Second by Filner. Passed by the  
following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,  
Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea,  
Mayor O'Connor-yea.

ITEM-201: (R-91-1797) ADOPTED AS RESOLUTION R-277817

Allocating certain tax revenues for the Barrio Logan  
Redevelopment Project, pursuant to Section 33767 of the  
California Community Redevelopment Law.  
(Barrio Logan/Harbor 101 Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: In June, 1989, the City  
Council adopted a survey area for the proposed Barrio Logan  
Redevelopment Project, thus initiating the redevelopment plan  
adoption process. The final redevelopment plan is scheduled for  
adoption upon the second reading of the plan adoption ordinance  
on May 20, 1991. Once the redevelopment plan is adopted, the  
incremental increase in property taxes collected within the  
project area will go to the Redevelopment Agency instead of the  
various taxing entities. However, each of the taxing entities,  
including the City, can elect, by adoption of the appropriate  
resolution, to collect tax increment due to the Proposition 13  
allowed 2 percent annual inflationary increase in property  
value.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A181-195.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-202: (R-91-1803) ADOPTED AS RESOLUTION R-277818

Council confirmation of the appointment by the Mayor of Darlene Davies, to serve as a member of the Horton Plaza Theatre Foundation, for a term ending May 1, 1994.

(See memorandum from Mayor O'Connor dated 4/17/91 with resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A181-195.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Henderson.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (R-91-1800) ADOPTED AS RESOLUTION R-277819

Council confirmation of the following reappointments by the Mayor, to serve as members of the Land Development Advisory Board, for terms ending March 1, 1993:

(See memorandum from Mayor O'Connor dated 4/17/91.)

Douglas C. Paul (Registered Civil Engineer)

Robin Shifflet (Landscape Architect)

Mildred Love (Architect)

William J. Kirchnavy (Licensed Contractor  
in Land Grading Operations)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A181-195.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Henderson.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.



ITEM-204: (R-91-1802) ADOPTED AS RESOLUTION R-277820

Council confirmation of the following reappointments by the Mayor, to serve as members of the Old Town San Diego Planned District Design Review Board, for terms ending March 1, 1995:

(See memorandum from Mayor O'Connor dated 4/17/91.)  
Olive A. Chivers (Community Planning Committee)  
Richard Warner (Property Owner, Business Licenses)  
Doug Livingston (Landscape Architect)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-205: (R-91-1801) ADOPTED AS RESOLUTION R-277821

Council confirmation of the reappointment by the Mayor of Maralyn (Lynn) Benn, to serve as a member of the Planning Commission, for a term ending January 28, 1995.

(See memorandum from Mayor O'Connor dated 4/17/91.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A181-195.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S400: (R-91-1680) ADOPTED AS RESOLUTION R-277822

Authorizing the sale of Lots 14 and 15, Block 13, Marilou Park (Site 10A), for the amount of not less than \$18,100, at the April 29, 1991 auction; authorizing the execution of a grant deed, granting to the highest bidder at the April 29, 1991 auction all of Lots 14 and 15, Block 13, Marilou Park; declaring that a broker's commission shall be paid by the City, if the

applicable Municipal Code provisions and Resolution R-223040 have been satisfied, and if the successful bidder is represented by a registered broker; authorizing the payment of related expenses in accordance with the sale from the proceeds.  
(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: On October 1, 1990, Council reaffirmed the designation of this site for sale by public auction. The subject site is located on 40th Street near Broadway in the Mount Hope section of Southeast San Diego. It is 9,322 square feet (0.21 acre) in size, rectangular in shape, zoned SF-5000 and vacant. It has an irregular topography due to dumping of fill of questionable quality. The zoning would allow for development of one single-family unit. An appraisal completed by staff established a minimum bid of \$18,100. This valuation was based on a comparison of similar, recently sold properties. In accordance with Council authorization of February 25, 1991, a public auction of this property is to be held in the Council Chambers on the morning of April 29, 1991. The results of the auction are being brought forward to Council for consideration.

FILE LOCATION: DEED F-5591 DEED FY91-1

COUNCIL ACTION: (Tape location: A290-326.)

MOTION BY HENDERSON TO ADOPT, APPROVING THE SALES FOR ITEMS S400, S401, S402, S403, S404, AND S405; AND TO REFER TO THE PF&R COMMITTEE THE QUESTION OF HOW IT IS THAT THE CITY ARRIVES AT MINIMUM BID PRICES. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S401: (R-91-1682) ADOPTED AS RESOLUTION R-277823

Authorizing the sale of Lots 15 and 16, Block 1, Watkins and Biddle Addition, (Site 289), for the amount of not less than \$18,100, at the April 29, 1991, auction; authorizing the execution of a grant deed, granting the property to the highest bidder; declaring that a broker's commission shall be paid by the City, if the applicable Municipal Code provisions and Resolution R-223040 have been satisfied, and if the successful bidder is represented by a registered broker; authorizing the payment of related expenses in accordance with the sale from the proceeds.

(Golden Hill Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On October 1, 1990, the City Council reaffirmed the designation of this site for sale by public auction. The subject site consists of 6,970 square feet and is located on the north side of Grape Street between 31st and Fern Streets in Golden Hill. It is zoned GH-3000 which is in conformance with the community plan's low-medium residential designation. The lot is essentially a hole in the ground heavily encumbered with drainage and sewer easements. Several of the adjacent property owners have expressed an interest in purchasing this site. The City will retain the various easements affecting this lot. An appraisal completed by staff established a minimum bid of \$18,100. This valuation was based on a comparison of similar, recently sold properties. In accordance with Council authorization of February 25, 1991, a public auction of this property is to be held in the Council Chambers on the morning of April 29, 1991. The results of the auction are being brought forward to Council for consideration.

FILE LOCATION: DEED F-5592 DEED FY91-1

COUNCIL ACTION: (Tape location: A290-326.)

MOTION BY HENDERSON TO ADOPT, APPROVING THE SALES FOR ITEMS S400, S401, S402, S403, S404, AND S405; AND TO REFER TO THE PF&R COMMITTEE THE QUESTION OF HOW IT IS THAT THE CITY ARRIVES AT MINIMUM BID PRICES. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S402: (R-91-1681) ADOPTED AS RESOLUTION R-277824

Authorizing the sale of portions of Lots 45-47, Block 11, Nordica Heights No. 2, (Site 407), for the amount of not less than \$16,000, at the April 29, 1991 auction; authorizing the execution of a grant deed, granting the property to the highest bidder; declaring that a broker's commission shall be paid by the City, if the applicable Municipal Code provisions and Resolution R-223040 have been satisfied, and if the successful bidder is represented by a registered broker; authorizing the payment of related expenses in accordance with the sale from the proceeds.  
(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: On October 1, 1990, the City Council reaffirmed the designation of this site for sale by public auction. The site is located off the alley between Nordica and Division Streets and 42nd and 43rd Streets. It is 8,130 square feet (0.19 acre) in size, trapezoidal in shape, zoned MF-3000 and vacant. This site is located adjacent to a drainage channel and lies in the 100 year flood plain. Residential usage is consistent with the Southeast San Diego Community Plan. An appraisal completed by staff established a minimum bid of \$16,000. This valuation was based on a comparison of similar, recently sold properties. In accordance with Council authorization of February 25, 1991, a public auction of this property is to be held in the Council Chambers on the morning of April 29, 1991. The results of the auction are being brought forward to Council for consideration.

FILE LOCATION: DEED F-5593 DEED FY91-1

COUNCIL ACTION: (Tape location: A290-326.)

MOTION BY HENDERSON TO ADOPT, APPROVING THE SALES FOR ITEMS S400, S401, S402, S403, S404, AND S405; AND TO REFER TO THE PF&R COMMITTEE THE QUESTION OF HOW IT IS THAT THE CITY ARRIVES AT MINIMUM BID PRICES. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S403: (R-91-1809) ADOPTED AS RESOLUTION R-277825

Authorizing the sale of portions of Lot 18, Block 4, Encanto Heights, for the amount of not less than \$12,500, at the April 29, 1991 auction; authorizing the execution of a grant deed, granting the property to the highest bidder; declaring that a broker's commission shall be paid by the City, if the applicable Municipal Code provisions and Resolution R-223040 have been satisfied, and if the successful bidder is represented by a registered broker; authorizing the payment of related expenses in accordance with the sale from the proceeds.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: On October 1, 1990, the City Council reaffirmed the designation of this site for sale by public auction. The subject site is located northeasterly of Akins Avenue between 63rd and Stork Streets in the Encanto area. It is rectangular in shape, flat, vacant land comprising 3,920

square feet and zoned MF-3000 in accordance with the Southeast San Diego Community Plan. Originally acquired for water distribution purposes, it is now considered in excess of the City's needs. An appraisal completed by staff established a minimum bid of \$12,500. This valuation was based on a comparison of similar, recently sold properties. In accordance with Council authorization of February 25, 1991, a public auction of this property is to be held in the Council Chambers on the morning of April 29, 1991. The results of the auction are being brought forward to Council for consideration.

WU-PR-91-170.

FILE LOCATION: DEED F-5594 DEED FY91-1

COUNCIL ACTION: (Tape location: A290-326.)

MOTION BY HENDERSON TO ADOPT, APPROVING THE SALES FOR ITEMS S400, S401, S402, S403, S404, AND S405; AND TO REFER TO THE PF&R COMMITTEE THE QUESTION OF HOW IT IS THAT THE CITY ARRIVES AT MINIMUM BID PRICES. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S404: (R-91-1684) ADOPTED AS RESOLUTION R-277826

Authorizing the sale of a portion of Lot 42, Horton's Purchase (Site 586), for the amount of not less than \$21,000, at the April 29, 1991 auction; authorizing the execution of a grant deed, granting the property to the highest bidder; declaring that a broker's commission shall be paid by the City if the applicable Municipal Code provisions and Resolution R-223040 have been satisfied, and if the successful bidder is represented by a registered broker; authorizing the payment of related expenses in accordance with the sale from the proceeds.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: On October 1, 1990, Council reaffirmed the designation of this site for sale by public auction. The subject site is located at the northwest corner of Imperial Avenue at Ozark Street. It is 4,136 square feet (0.095 acre) in size, rectangular in shape, zoned CSF-2 and vacant. The Southeast San Diego Community Plan designates the site for commercial use. Originally acquired for widening of Imperial Avenue, this site is now in excess of City needs. An

appraisal completed by staff established a minimum bid of \$21,000. This valuation was based on a comparison of similar, recently sold properties. In accordance with Council authorization of February 25, 1991, a public auction of this property is to be held in the Council Chambers on the morning of April 29, 1991. The results of this auction are being brought forward to Council for consideration.

FILE LOCATION: DEED F-5595 DEED FY91-1

COUNCIL ACTION: (Tape location: A290-326.)

MOTION BY HENDERSON TO ADOPT, APPROVING THE SALES FOR ITEMS S400, S401, S402, S403, S404, AND S405; AND TO REFER TO THE PF&R COMMITTEE THE QUESTION OF HOW IT IS THAT THE CITY ARRIVES AT MINIMUM BID PRICES. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S405: (R-91-1683) ADOPTED AS RESOLUTION R-277827

Authorizing the sale of portions of Lots 31 through 37, Block 99 of Pacific Beach, Map-933 (Site 605), for the amount of not less than \$76,000, at the April 29, 1991 auction; authorizing the execution of a grant deed, granting the property to the highest bidder; declaring that a broker's commission shall be paid by the City, if the applicable Municipal Code provisions and Resolution R-223040 have been satisfied, and if the successful bidder is represented by a registered broker; authorizing the payment of related expenses in accordance with the sale from the proceeds.  
(Pacific Beach Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: On October 1, 1990, the City Council reaffirmed the designation of this site for sale by public auction. The site is located on the northeast side of Soledad Mountain Road at Beryl Way in Pacific Beach. It is 5,497 square feet (0.126 acre) in size, triangular in shape, zoned R1-5000 and vacant. Originally purchased for street right-of-way, it is now in excess of City needs. The zoning would allow for development of one single-family residential unit. An appraisal completed by staff established a minimum bid of \$76,000. This valuation was based on a comparison of similar, recently sold properties. In accordance with Council authorization of February 25, 1991, a public auction of this property is to be held in the Council Chambers on the morning of

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April 29, 1991. The results of the auction are being brought forward to Council for consideration.

FILE LOCATION: DEED F-5596 DEED FY91-1

COUNCIL ACTION: (Tape location: A290-326.)

MOTION BY HENDERSON TO ADOPT, APPROVING THE SALES FOR ITEMS S400, S401, S402, S403, S404, AND S405; AND TO REFER TO THE PF&R COMMITTEE THE QUESTION OF HOW IT IS THAT THE CITY ARRIVES AT MINIMUM BID PRICES. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S406: (R-91-1805) ADOPTED AS RESOLUTION R-277828

Approving the final subdivision map of the Montadura Business Center, a 12-lot subdivision located southwesterly of Rancho Bernardo Road and West Bernardo Drive.  
(Rancho Bernardo Community Area. District-6.)

FILE LOCATION: SUBD - Montadura Business Center

COUNCIL ACTION: (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S407: (R-91-1812) ADOPTED AS RESOLUTION R-277829

Authorizing the execution of an agreement with the Architectural Firm of Ruth and Going for the purpose of implementing a consultant study for a Regional Forensic Crime Laboratory, together with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary; authorizing the expenditure of an amount not to exceed \$50,000 from the Federally Seized and Forfeited Assets Fund No. 10132, Department No. 10132, for the purpose of providing funds for the above project.

(See City Manager Reports CMR-91-201 and CMR-90-436.)

COMMITTEE ACTION: Reviewed by PSS on 10/17/90.  
Recommendation to approve City Manager Report CMR-90-436.  
Districts 2, 3, 4 and 7 voted yea. District 5 not present.

Aud. Cert. 9100825.

FILE LOCATION: MEET CCONT FY91-1

COUNCIL ACTION: (Tape location: A287-372.)

MOTION BY McCARTY TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S408:

In the matter of a request for reconsideration of the City Council's action on Tuesday, April 16, 1991, Item 332 C & D, with respect to the proposal for Scripps Ranch North Phase III Vesting Tentative Map, Planned Residential Development /Hillside Review.  
(VTM, PRD/HRP-90-0898. Scripps Miramar Ranch Community Area. District-6.)

NOTE: On 4/16/91, Council voted 7-1 to grant the map and the permit; certify the environmental impact report; introduce the Ordinance for residential zoning; adopt the amendment to the community plan as amended; and adopt the street vacations as amended. Districts 2,3,4,5,6,7 and 8 voted yea. District 1 voted nay. Mayor not present.

Subitem-A: APPROVED

Waiving Rule 34 of the Permanent Rules of the Council to allow reconsideration.

Subitem-B: GRANTED RECONSIDERATION

Granting the reconsideration.

Subitem-C: APPROVED HEARING

Setting the matter for future public hearing.



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FILE LOCATION: PERM - PRD/HRP 90-0898; SUBD - Scripps Ranch  
North Phase III

COUNCIL ACTION: (Tape location: A524-B038.)

MOTION BY ROBERTS TO WAIVE THE RULES. Second by Hartley.  
Passed by the following vote: Wolfsheimer-not present,  
Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea,  
Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-not  
present.

MOTION BY ROBERTS TO RECONSIDER. Second by Hartley. Passed  
by the following vote: Wolfsheimer-not present,  
Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea,  
Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-not  
present.

MOTION BY ROBERTS TO SET THE MATTER FOR PUBLIC HEARING.  
Second by Hartley. Passed by the following vote:  
Wolfsheimer-not present, Roberts-yea, Hartley-yea,  
Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea,  
Mayor O'Connor-not present.

ITEM-S409: (R-91-1836) ADOPTED AS RESOLUTION R-277830

(Continued from the meeting of April 23, 1991, Item  
S505, at Councilmember Roberts and Councilmember  
Filner's request.)

Authorizing the execution of an amendment to the  
settlement agreement between McMillin-BCED/Miramar  
Ranch North and the City of San Diego.

FILE LOCATION: DEVL - McMillin-BCED/MIRAMAR RANCH NORTH

COUNCIL ACTION: (Tape location: A524-B038.)

MOTION BY McCARTY TO ADOPT. Second by Hartley. Passed by  
the following vote: Wolfsheimer-not present, Roberts-yea,  
Hartley-yea, Pratt-yea, Behr-yea, Henderson-nay,  
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S410: TRAILED TO TUESDAY, APRIL 30, 1990

(Continued from the meeting of April 23, 1991, Item  
201, at the City Manager's request, to be considered

with a companion item.)

Two actions relative to Community Facilities District  
No. 1 - Miramar Ranch North:  
(Miramar Ranch North Community Area. District-6.)

Subitem-A: (R-91-1793)

Authorizing the issuance of bonds, approving forms of  
Bond Indenture, Bond Purchase Contract and Preliminary  
Official Statement for Community Facilities District  
No. 1 - Miramar Ranch North.

Subitem-B: (R-91- )

Approving the first amendment to the acquisition and  
funding agreement.

CITY MANAGER SUPPORTING INFORMATION: On September 18, 1990,  
the City Council approved a settlement agreement between the City  
and McMillin-BCED regarding development in the Miramar Ranch  
North Community. One provision of this agreement was the  
formation of a Mello-Roos Community Facilities District to issue  
bonds for the purpose of financing major infrastructure needs in  
that area. Actions were taken on January 8, 1991 to form the  
District, authorize the levy of special taxes, conduct a vote of  
qualified voters in the District and declare the necessity to  
issue bonds. The City Council authorized Paine Webber and  
Bancroft, Garcia and Lavell to underwrite the bonds. The  
financing documents required to issue the bonds are:

1. The Bond Indenture, which establishes the terms and  
conditions for the issuance of bonds.
2. The Bond Purchase Contract among the underwriters  
and the District.
3. The Preliminary Official Statement.

Approval of the Bond Indenture and Preliminary Official Statement  
and authorization to execute the Bond Purchase Contract are  
required so that the District can issue bonds.

NOTE: See Items S408 and S409 for companion items.

FILE LOCATION: STRT - CF-1

COUNCIL ACTION: (Tape location: B038-045.)

\* ITEM-S411: (R-91-1822) ADOPTED AS RESOLUTION R-277831

A Resolution approved by the City Council in Closed

Session on Tuesday, April 23, 1991 by the following vote: Wolfsheimer-yea; Roberts-not present; Hartley-yea; Pratt-yea; Behr-yea; Henderson-yea; McCarty-yea; Filner-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$556,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries to William S. Martella (Superior Court Case No. 632912, William Martella, et al. v. City of San Diego); authorizing the City Auditor and Comptroller to issue two checks: one in the amount of \$258,838.46 made payable to First Colony Life Insurance Company and the second one in the amount of \$297,161.54 made payable to William S. Martella and his attorney Charles D. Limandri.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the personal injury claim of William S. Martella against the City of San Diego as a result of the incident of February 2, 1990.

Aud. Cert. 9100832.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S412: (O-91-156) ADOPTED AS ORDINANCE O-17637 (New Series)

Rezoning various properties located within the Miramar Ranch North Community Plan Area, incorporating Parcel 1 and Parcel 2, of Parcel Map PM-11571, Parcel 2 of Parcel Map PM-11428, Parcel 1 of Parcel Map PM-11698, Lago Dorado Industrial Park per Map-11991, portion of the Southwest Quarter of Section 28, portion of the Northwest Quarter of Section 33, and portion of the Northwest Quarter of Section 32, Section 27, Township 14 South, Range 2 West, San Bernardino Meridian, from M-LI into R1-5000, R1-6000, R1-8000 and R-1500 Zones.

(Case-90-0898. District-6. Introduced on 4/16/91.  
Council voted 8-0. Mayor not present.)

FILE LOCATION: ZONE - ORD. NO.

COUNCIL ACTION: (Tape location: A181-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by  
Henderson. Passed by the following vote: Wolfsheimer-yea,  
Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea,  
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

ITEM-CC-1: REFERRED TO CITY MANAGER

Comments by Council Member Pratt regarding finding  
space for African-American Museum of Art.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B050-B057.)

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO CITY MANAGER

Comments by Allen G. Herridge.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B058-090.)

ITEM-PC-2: REFERRED TO CITY MANAGER

Comments by Don Stillwell regarding questions  
concerning map, population, and registered voters.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B090-134.)

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 2:58 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B134-144).

MOTION BY FILNER TO ADJOURN IN HONOR OF THE MEMORY OF HILDA LANDT (aka MRS. HENRY LANDT) AS REQUESTED BY CITY ATTORNEY JOHN WITT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.